

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MASTEROBJECTS, INC.,

Plaintiff,

v.

AMAZON.COM INC,

Defendant.

Case No. [3:20-cv-08103-WHA](#) (KAW)

**ORDER REGARDING 10/20/21 JOINT
DISCOVERY LETTER**

Joint Letter #1

Re: Dkt. No. 160

On October 20, 2021, the parties filed a joint discovery letter pertaining to whether Amazon should be compelled to produce “Weblabs” —tests run prior to rolling out new search algorithms— from 2008. (Joint Letter at 1.) MasterObjects owns a number of patents concerning what is known as an “Instant Search.” *Id.* An instant search allows a user to type in a partial search query, and then the backend server system retrieves pre-computed query completions. *Id.* For example a search for “Ro” could retrieve “Rolex watches,” which would then be displayed for the user. *Id.*

Amazon rolled out instant search in late-2008. (Joint Letter at 1.) MasterObjects is now seeking to compel the Weblabs testing that was completed in 2008. *Id.* at 2. Amazon objects on the grounds that the documents are not relevant, because the asserted patents were filed in 2013, 2017, and 2019, and the 2008 Autocomplete technology is not an accused product. *Id.* at 3-4. The Court agrees.

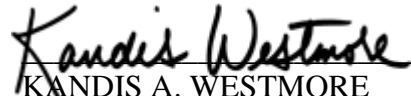
Here, MasterObjects argues that the 2008 Weblabs are central to proving the value added by the pure instant search, which is claimed in this case, against the value added by other aspects of Amazon’s search infrastructure. (Joint Letter at 2.) The Court, however, is not convinced how Weblabs run 5 years prior to the earliest asserted patent would determine the value added given

1 the change in technology in the intervening years. If anything, the 2008 Weblabs would
2 exaggerate, perhaps greatly, Plaintiff's alleged damages due to the passage of time. The Court
3 notes that the more recent "modified" Autocomplete technology is accused, and Weblabs for the
4 modified technology has already been produced. (*See* Joint Letter at 3.) Therefore, MasterObjects
5 has not made the requisite showing that the discovery sought is relevant to the claims asserted nor
6 that it is proportional to the needs of the case. Fed. R. Civ. P. 26(b)(1).

7 Accordingly, MasterObjects's request to compel the production of the 2008 Weblabs is
8 denied.

9 IT IS SO ORDERED.

10 Dated: November 10, 2021

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KANDIS A. WESTMORE
12 United States Magistrate Judge
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United States District Court
Northern District of California